

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOT-00 INR-07 NSAE-00 CIEP-01 FAA-00 (ISO) R

DRAFTED BY CAB/BIA/B-59:AMLARGAY/EB/OA/AVP:JKGORDON:PMA

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EB/AN:JBMAGNOR

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R 231427Z AUG 76

FM SECSTATE WASHDC

TO AMEMBASSY LONDON

LIMITED OFFICIAL USE STATE 208696

E.O. 11652: N/A

TAGS: EAIR, UK

SUBJECT: CIVAIR: NOTICE OF DISSATISFACTION, B.A.
TRANSATLANTIC CARGO RATES.

1. DEPT WOULD APPRECIATE EMBASSY DELIVERING FOLLOWING
NOTICE TO UK CAA. TO MEET REQUIREMENTS UNDER THE BI-
LATERAL, NOTICE OF DISSATISFACTION MUST BE RECEIVED BY
UKG NLT AUGUST 27.

2. FYI ONLY. BA PROPOSES REDUCED RATES FOR ITEM NO. 4316
(DATA PROCESSING EQUIPMENT) TO PREVENT DIVERSION OF U.S./
U.K. TRAFFIC ALLEGED TO OCCUR VIA THIRD COUNTRIES THROUGH
COMBINATION OF TRANSATLANTIC HIGH WEIGHTBREAK (34,000
AND 42,500 KG.) FREIGHT-ALL-KINDS RATES WITH LOCAL SUR-
FACE RATES FROM EUROPE TO U.K. BA HAS PROVIDED NO EVIDENCE
THAT SUCH DIVERSION IS ACTUALLY TAKING PLACE, AND EVEN
IF IT IS, IT APPEARS THAT BA'S PROPOSED RATES ARE BELOW
THE RATE COMBINATIONS ALLEGED TO UNDERCUT THE EXISTING
DIRECT U.S./U.K. RATES.
THE REDUCED RATES FOR THE OTHER COMMODITY ITEM NUMBERS ARE
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ALLEGED TO BE NECESSARY TO DIVERT CURRENT SURFACE TRAFFIC

TO AIR. BA HAS PROVIDED NO PROJECTION OF THE AMOUNT OF TRAFFIC IT ESTIMATES WILL BE GENERATED BY THESE RATES. GIVEN THE NATURE OF THE COMMODITIES IN ISSUE, IT APPEARS DOUBTFUL THAT THE PROPOSED RATES WILL IN FACT HAVE MUCH OF A FAVORABLE EFFECT ON THE CARRIER'S TRAFFIC.

3. FYI ONLY. "CONTRACT RATES". BY THIS PROPOSAL BA WOULD GIVE SPECIAL REDUCED RATES TO ALL SHIPPERS WHO FULFILL A CONTRACT TO SHIP A CERTAIN SPECIFIED TONNAGE ON BA ANNUALLY. NOT ONLY DO THESE RATES APPEAR PATENTLY UNECONOMIC ON THEIR FACE, THE WHOLE "CONTRACT RATE" CONCEPT APPEARS TO BE A CLEAR VIOLATION OF THE PROHIBITION OF RATES INCORPORATED IN THE FEDERAL AVIATION ACT. END FYI.

4. DRAFT NOTICE FOLLOWS: QUOTE:
DRAFT NOTICE OF DISSATISFACTION
BRITISH AIRWAYS TRANSATLANTIC
CARGO RATES

ON AUGUST 10, 1976, BRITISH AIRWAYS FILED TARIFF REVISIONS FOR EFFECTIVENESS SEPTEMBER 11, 1976, PROPOSING REDUCED SPECIFIC COMMODITY RATES FOR COMMODITY ITEM NB. 4316, 2102, 6807, 7047 AND 7104 BETWEEN THE UNITED STATES AND THE UNITED KINGDOM. IN A SEPARATE FILING MADE AUGUST 11, 1976 FOR EFFECTIVENESS SEPTEMBER 12, 1976, BRITISH AIRWAYS PROPOSES NEW CARGO "CONTRACT RATES" FROM THE UNITED KINGDOM TO THE UNITED STATES. THE UNITED STATES GOVERNMENT HEREBY GIVES FORMAL NOTICE OF ITS DISSATISFACTION WITH THESE FILINGS. UNQUOTE. KISSINGER

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Margaret P. Grafeld
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